

## REMARKS

The Office has finally rejected claims 1-2, 4-12 and 14-22 under 35 U.S.C. 102(e) and claims 3 and 13 under 35 U.S.C. 103(a) on the basis of the patent to Barrett Jr. et al ('241). The reason for the rejection is the Office belief that the claim recitation of "a standardized image" does not distinguish applicant's type of standardization -- the language being so broad as to embrace "standardized in the sense that the (Barrett et al) are all two dimensional and in color" and recognize "JPEG" standards.

What applicant had intended to connote was his very different and specific type of "standardization" that enables his new results of enabling "comparisons"...by optical techniques...with previously stored spot pattern image (pages 8, 9). This is enabled by the use of applicant's special type of standardization in creating "uniform reaction" (page 4) gene-specific standardized "two dimensional spot patterns" (pages 9, 10).

No such "uniform two-dimensional spot pattern images", or any standardized two-dimensional spot pattern images, or the novel results flowing therefrom are, of course, within the disclosure or purview of the reference.

Each of claims 2, 12 and 16 (and claim 6 and the remaining respective dependent claims 3-5, 7-11, 13-15 and 17-22) has been amended, accordingly, very specifically and clearly to define over Barrett et al in reciting applicant's novel type of "standardization" --i.e. by the novel specific limitation of "*standardized gene-specific two-dimensional spot patterns*" and resulting in "*standardized two-dimensional format image spot patterns*". Claim 1 has similarly been amended to recite "standardizing the format of the image patterns as standardized two-dimensional spot image patterns".

It appearing that applicant has now definitively distinguished his novel type of standardizing of format by the above amendments, the Office is respectfully requested to permit entry of the amendments as placing the application in condition for allowance-- and such action is accordingly respectfully requested.

Any costs required by this filing, included for any required extensions of time,  
petition for which is hereby made, may be charged to account 18-1425 of the undersigned  
counsel.

Respectfully submitted,

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